

Supreme Court of Kentucky

ORDER

**IN RE: ORDER APPROVING THE LOCAL RULES OF COURT PRACTICE
AND PROCEDURE FOR THE 27TH JUDICIAL CIRCUIT, FAMILY
COURT DIVISION, KNOX AND LAUREL COUNTIES**

Upon recommendation of the Judges of the 27th Judicial Circuit/District
and being otherwise sufficiently advised,

The attached Rules of Court Practice and Procedure for the 27th Judicial
Circuit, Family Court Division, Knox and Laurel counties, are hereby approved.

This order shall be effective as of the date of this Order, and shall remain in
effect until further orders of this court.

Entered this the 9th day of November 2016.


CHIEF JUSTICE JOHN D. MINTON, JR.

COMMONWEALTH OF KENTUCKY
27TH JUDICIAL CIRCUIT
KNOX AND LAUREL CIRCUIT COURT
FAMILY COURT DIVISION

LOCAL RULES OF THE KNOX AND LAUREL FAMILY COURT

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- Rule 1. **Introduction / Administrative Procedure**
 - 101. Introduction / Preface

These are the Rules of Practice of the Family Court for the 27th Judicial Circuit. These rules supplement the Kentucky Family Court Rules of Procedure and Practice (FCRPP), Kentucky Rules of Civil Procedure, the Kentucky Rules of Criminal Procedure and the Local Rules of Knox and Laurel Circuit Courts. However, if these rules conflict with any statute or other law of the United

States or the Commonwealth of Kentucky, rule and / or Order of the Supreme Court, Commonwealth of Kentucky, at any time legally adopted; any such statute, law, rule or order shall at all times prevail. If these rules conflict with any other rules promulgated by the 27th Judicial Circuit concerning those matters now falling within the jurisdiction of the Family Court then these rules shall prevail concerning practice in the Family Court.

102. Effective date

The effective date of these rules shall be thirty (30) days after Kentucky Supreme Court approval.

103. Citation

These rules shall be cited as "RKLFC" or Rules of the Knox and Laurel Family Court.

104. Assignment of Cases

There are no local rules regarding assignment of cases.

105. Holidays

Changes in the schedule because of holidays will be listed on the Court's calendar. See Rule 204 Court Calendar.

Rule 2. Court Scheduling / Motion Hour / Procedures for Filing

201. Regular Motion Hour Schedule

A. Adoption / Termination of Parental Rights

Adoption and Termination of Parental Rights cases shall be heard as follows:

Knox:

The 3rd Friday of each month at 10:00 a.m.

Laurel:

Effective May 2016, the 2nd Monday of each month at 12:00 p.m..

B. Dependency, Neglect and Abuse

Dependency, neglect and abuse cases shall be heard as follows:

Knox:

Every other Wednesday at 10:00 a.m.

Laurel:

Every Thursday at 10:00 a.m.

C. Domestic Relations Cases

Motions shall be heard as follows:

Knox:

The 2nd and 4th Friday of each month at 10:00 a.m.

Laurel:

The 2nd and 4th Monday of each month at 10:00 a.m.

Contested matters will not be heard on motion day and shall be scheduled for a separate hearing day of the Court, except uncontested matters may be heard if the Court has available time on said day. Generally, contested matters will be set by the Court for hearings in Laurel County on Tuesdays at 9:00 a.m., and in Knox County on every other Wednesday at 9:00 a.m.

D. Domestic Violence Cases

Domestic violence cases shall be heard as follows:

Knox:

The 2nd, 3rd and 4th Friday of the month at 9:00 a.m.

Laurel:

Mondays at 9:00 a.m.

**** PLEASE NOTE**** - Court will not be held on the 5th week of the month.

E. Paternity and Child Support Cases

Motions in paternity and child support cases filed by the County Attorney's Office shall be heard as follows:

Knox:

The 2nd Wednesday of each month at 1:00 p.m.
(Check Court's Calendar)

Laurel:

The 1st and 3rd Monday of each month at 11:00 a.m.
(Check Court's Calendar)

****PLEASE NOTE**** - Court will not be held on the 5th week of the month.

F. Truancy and Other Status Offenses

Knox:

2nd and 4th Wednesday at 9:00 am.

Laurel:

1st, 2nd, 3rd and 4th Thursday at 9:00 a.m.

**** PLEASE NOTE **** Court will not be held on the 5th week of the month.

G. Contempt motions shall be filed and served as all other non-emergency motions.

202. Exceptions to Regular Motion Hour Schedule:

Exceptions to the regular motion hour schedule will be listed on the Court's calendar. See Rule 204, Court Calendar.

203. Deadlines for Serving and Filing Motions

KNOX:

Deadlines for serving and filing motions in Circuit (CI) cases:

Every motion to be heard shall be filed with the Clerk by Tuesday the week before the motion is to be heard. All motions shall be served upon opposing counsel, and upon parties who are not represented by counsel and entitled to notice no later than seven (7) days preceding the day the motion is to be heard.

LAUREL:

Deadlines for serving and filing motions in Circuit (CI) cases:

Every motion to be heard shall be filed with the clerk by Monday the week before the Motion is to be heard on the following Monday. All motions shall be served upon opposing counsel, and upon parties who are not represented by counsel and entitled to notice no later than seven (7) days preceding the date the motion is to be heard.

204. Court Calendars

A monthly calendar of the Family Court's schedule will be provided by contacting the Family Court Judge's Office or on the Knox/Laurel Family Court webpage at the Kentucky Court of Justice website.

http://courts.ky.gov/Local_Rules_of_Practice/C27FAMILYRULES.pdf

Rule 3. Adoptions / Termination of Parental Rights

Final hearings in adoption and termination of parental rights cases shall be scheduled and heard by the Court on a date certain. Dates may be obtained by contacting the Family Court Judge's chambers.

Rule 4. Domestic Violence Protocol and 24 Hour Access Policy

Pursuant to KRS 403.735, and in compliance with FCRPP 13, the local Twenty-Four Hour Accessibility to Emergency Protective Orders and Local Joint Jurisdiction Domestic Violence Protocol is attached hereto as Appendix A and is incorporated herein by reference as if set out in full.

Rule 5. Paternity

There are no local rules regarding paternity cases. See FCRPP 14 and 15 for statewide uniform rules of procedure.

Rule 6. Dependency, Neglect and Abuse

There are no local rules regarding dependency, neglect and abuse cases. See FCRPP 16 through 31 for statewide uniform rules of procedure.

Rule 7. Domestic Relations Practice

701. Preliminary Verified Disclosure Statement

Pursuant to FCRPP2(3), Preliminary Verified Disclosure Statements, AOC-238, is required to be filed in the record unless an agreement, executed by both parties is entered in the record. In cases of default, a motion for waiver of the filing or exchange of the disclosure statements may be filed at the convenience of the Court.

Rule 8. Status Offenses

There are no local rules regarding status offenses. See FCRPP 37 through 44 for statewide uniform rules of procedure.

Rule 9. Miscellaneous

901. Mediation

- A. If ordered, the parties shall engage in mediation unless the exceptions under KRS 403.036 apply. Any cost of the mediation shall be allocated as deemed just by the Court.
- B. The parties shall attend mediation. If a party fails to appear at a duly noticed mediation conference without good cause the Court, upon show cause motion and

hearing, may impose sanctions, which may include an award of attorney fees and other costs against the party failing to appear.

C. Confidentiality.

- (1) Except as otherwise provided by this rule or ordered by the Court for good cause shown, all mediation documents and mediation communications are confidential and shall not be disclosed except for the agreement to mediate and mediation agreement. Except as to the agreement to mediate and mediation agreement, all mediation documents are not subject to disclosure through discovery or any other process, and are not admissible into evidence in any judicial or administrative proceeding.
- (2) Mediation proceedings shall not be considered a public record.
- (3) There is no confidentiality and no restriction on disclosure under this rule to the extent that:
 - (a) All parties consent in writing to disclosure; or,
 - (b) The mediation communication or mediation document gives the mediator knowledge of or reasonable cause to suspect that a child or a spouse has been abused or a child has been neglected; or,
 - (c) The mediation communications were made in furtherance of the commission of a crime or fraud or as part of a plan to commit a crime or fraud.
- (4) Nothing in this rule shall be construed so as to permit an individual to obtain immunity from prosecution for criminal conduct.

D. Reporting to the Court.

- (1) The mediator shall notify the Court promptly when a case is not accepted for mediation.
- (2) At any time after a case has been accepted, the mediator may refer it back to the Court for good cause, which shall be in writing.
- (3) If a case is settled prior to or during mediation, an attorney for one of the parties shall prepare and submit to the Court an order reflecting the fact of settlement, as in any other case, or the mediator may prepare a mediation agreement which shall be signed by the parties and filed in the record.

- (4) At the conclusion of cases accepted for mediation, the mediator shall report to the Court the fact that the mediation process has ended. If the parties do not reach an agreement as to any matter as a result of mediation, the mediator shall report the lack of an agreement to the Court.

902. Timesharing Guidelines

A copy of the Knox/Laurel visitation guidelines are attached hereto as Appendix B. A copy may be obtained by contacting Family Court Judge's office or on the Knox/Laurel Family Court webpage on the Kentucky Court of Justice website.

903. Copy of Record of Confidential Proceedings

A copy of audio and/or video proceedings regarding any confidential proceeding shall be provided only to parties or attorneys of record upon motion and hearing before the Court.

904. Protection of Personal Identifiers

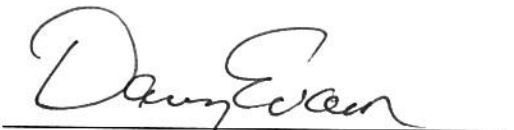
All pleadings must comply with the requirements of KRS Chapters 205, 403, 405 and 407 by providing the personal identifying information required in those chapters. However, where personal identifiers are required by statute or contained in other documents or exhibits filed with the Court, parties shall comply with CR 7.03 (1)(b) by filing one copy from which any personal data has been redacted and filing an unredacted copy in a marked and sealed envelope. The Clerk of the Court shall allow the unredacted sealed copy of the pleading, document, or exhibit containing personal identifiers to be accessed only by a party to the case, an attorney of record in the case, a judge of the Court or other authorized court personnel, a duly authorized employee or agent of the Cabinet for Health and Family Services involved in child support matters attendant to the case, or a person authorized to view the copy of specific orders of the Court. As used in this section, "personal identifier" means a Social Security number or taxpayer identification number, date of birth, or financial account number.

APPROVED:



HON. GREGORY A. LAY
KNOX/LAUREL CIRCUIT JUDGE, DIVISION I

10/28/16
DATE



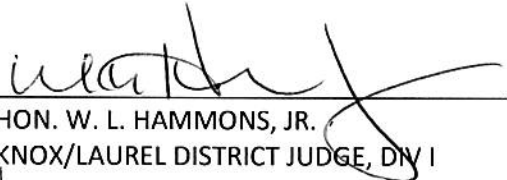
HON. DANNY EVANS
KNOX/LAUREL CIRCUIT JUDGE, DIVISION II

10/27/16
DATE



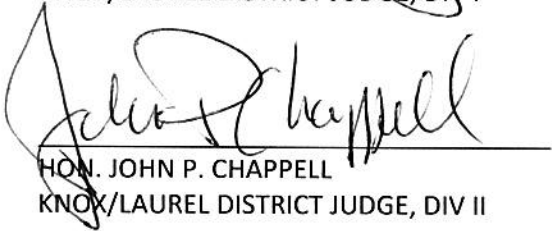
HON. STEPHEN M. JONES
KNOX/LAUREL CIRCUIT JUDGE, DIV III

11/3/16
DATE



HON. W. L. HAMMONS, JR.
KNOX/LAUREL DISTRICT JUDGE, DIV I

10/25/16
DATE



HON. JOHN P. CHAPPELL
KNOX/LAUREL DISTRICT JUDGE, DIV II

10-25-16
DATE

Supreme Court of Kentucky

ORDER

IN RE: ORDER APPROVING TWENTY-FOUR HOUR ACCESSIBILITY TO PROTECTIVE ORDERS AND LOCAL JOINT JURISDICTION PROTOCOL FOR THE 27TH JUDICIAL CIRCUIT AND DISTRICT, KNOX AND LAUREL COUNTIES

Upon the recommendation of the Judges of the 27th Judicial Circuit and District, Knox and Laurel Counties, and being otherwise sufficiently advised,

The Twenty-Four Hour Accessibility to Protective Orders and Local Joint Jurisdiction Protocol for the 27th Judicial Circuit and District is hereby approved. This order shall be effective as of the date of this Order and shall remain in effect until further orders of this court.

Entered this 3rd day of May 2016.


CHIEF JUSTICE

Appendix A

**TWENTY-FOUR HOUR ACCESSIBILITY TO
PROTECTIVE ORDERS AND LOCAL
JOINT DOMESTIC VIOLENCE PROTOCOL
27TH JUDICIAL CIRCUIT AND DISTRICT
KNOX AND LAUREL COUNTIES**

Pursuant to KRS 403.735 and KRS 456.030 and in compliance with Family Court Rules of Practice and Procedure (FCRPP) Section IV, this local domestic violence protocol is established to ensure twenty-four hour accessibility to electronic emergency protective orders (EEPOs) and temporary interpersonal protective orders (TIPOs) and to establish written procedures for domestic violence matters in which there may be joint jurisdiction between the Circuit/Family and District courts.

I. Uniform Protocol for Processing Cases

- A. All petitions requested, completed and signed by persons seeking protection under KRS Chapter 403 and KRS Chapter 456 shall be made on form AOC-275.1, and shall be accepted and filed with court. KRS 403.725, KRS 456.030.
- B. Circuit court clerks shall process domestic violence cases in accordance with the rules and procedures set forth in the "Domestic Violence Proceedings" section of the Kentucky Circuit Court Clerk's Manual.
- C. All cases will be assigned a "D" case number with the appropriate trailer number within the court case management system and may not be consolidated with any other case type.
- D. "No drop" policies which place limitations on a petitioner's right to modify or withdraw a petition for a protective order are not permitted. Pursuant to KRS 403.070 and KRS 456.060, any orders for relief issued directing or prohibiting any other actions that the court believes will be of assistance in eliminating future acts of domestic violence and abuse, dating violence and abuse, stalking, or sexual assault shall not order the petitioner to take any affirmative action.
- E. Cases may be assigned within the judicial circuit and, pursuant to FCRPP 12, a case may be transferred to another circuit if there is a pending dissolution or custody matter. If reassignment or transfer occurs, the issuing judge shall reissue a summons until the matter may be heard by the receiving judge.
- F. The court shall review a petition for a protective order immediately upon its filing. KRS 403.730, KRS 456.040. Petitioners shall not be sent away or left waiting for extended periods of time. Petitions should be reviewed within an hour of presentation to a judge or trial commissioner unless impossible due to a judge or trial commissioner being unavailable.

II. Twenty-four Hour Accessibility

A. The following agencies and officers are authorized to take protective order petitions and administer oaths to petitioners **during** regular business hours:

1. The Circuit Clerks of Laurel and Knox Counties, and all of their sworn deputies;
2. The victim's advocates of Laurel and Knox Counties.

B. The following agencies and officers are authorized to take protective order petitions and administer oaths to petitioners **after** regular business hours:

1. The Circuit Clerks of Laurel and Knox Counties, and all of their sworn deputies;
2. The victim's advocates of Laurel and Knox Counties;
3. The Sheriffs of Laurel and Knox Counties and all of their sworn deputies;
4. The Jailers of Laurel and Knox Counties and all of their sworn deputies;
5. The Chiefs of Police for the Cities of London and Barbourville and all of their sworn deputies; and
6. Any Kentucky State Police Officer found in Laurel and Knox Counties.

C. Upon receipt of a petition **during** regular business hours, the authorized agency/officer shall present the petition to the following:

1. Family Court Judge or District Court Judge.

D. Upon receipt of a petition **after** regular business hours, the authorized agency/officer shall present the petition to the following:

1. Family Court Judge;
2. District Court Judge.

III. Assignment of Cases

A. Pursuant to KRS 403.735 and KRS 456.030, jurisdiction over petitions filed under this chapter is concurrent between district, circuit and family court.

B. The judge reviewing a petition for an order of protection shall indicate in the

"Court Action" section of the petition whether the resulting action is a domestic violence action under KRS Chapter 403 or an interpersonal protective order action under KRS Chapter 456.

C. The circuit clerk shall assign interpersonal protective order cases to the District Court.

D. The schedule for hearings on protective orders is as follows;

District Court, Mondays 11:00 a.m. (TIPOs)

Circuit Court, Mondays 9:00 a.m. (EPOs)

E. Cases may be reassigned or transferred between courts if it is determined that there are other actions pending or circumstances indicate that review by the other court is proper. KRS 403.725, KRS 456.030. If reassignment or transfer occurs, the issuing judge shall reissue a summons until the matter may be heard by the receiving judge.

[Consistent with FCRPP 12, when the local domestic violence protocol requires that a case be transferred to another circuit due to a pending dissolution or custody matter, an emergency protective order shall continue and the summons shall be reissued by the initiating court, pursuant to KRS 403.740(4), for a period not to exceed fourteen days if service has not been made on the adverse party by the date of transfer, or as the court determines is necessary for the protection of the petitioner. Thereafter, reissuance of the summons shall occur as needed in the court of transfer.]

IV. Contempt Proceedings

A. Pursuant to KRS 403.763 and KRS 456.180, civil and criminal proceedings for violation of a protective order for the *same violation* of a protective order shall be mutually exclusive. Once a criminal or contempt proceeding has been initiated, the other shall not be undertaken regardless of the outcome of the original proceeding.

B. Petitioners seeking to initiate contempt proceedings should contact:

1. The Circuit Clerks of Laurel and Knox Counties, and all of their sworn deputies;
2. The victim's advocates of Laurel and Knox Counties.

C. No petitioner may be held in contempt for failure to appear at a domestic violence hearing or prosecute a criminal violation of a protective order.

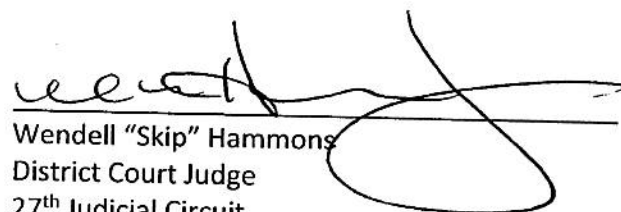
The above protocol is adopted by all judicial officers in the circuit/district this the 26 day of April, 2016.



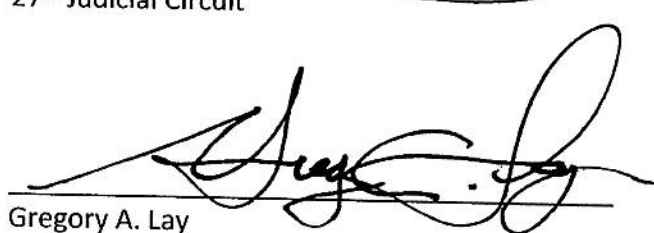
Stephen M. Jones
Family Court Judge
27th Judicial Circuit



John P. Chappell
District Court Judge
27th Judicial Circuit



Wendell "Skip" Hammons
District Court Judge
27th Judicial Circuit



Gregory A. Lay
Circuit Court Judge
27th Judicial Circuit



Danny Evans
Circuit Court Judge
27th Judicial Circuit

TIMESHARING / VISITATION GUIDELINES
*Revised and Effective April 27, 2011**

The following schedules are suggested as **guidelines** for the parents and the court establishing time-sharing/visitation schedules. Each case will present unique facts or circumstances which shall be considered by the court in establishing a time-sharing/visitation schedule and the final schedule established by the court or agreed to by the parents may or may not be what these guidelines suggest.

EACH PARENT SHALL:

BEHAVIOR

- A. Realize that these Guidelines require both parents to put the child(ren)'s needs ahead of their own, to actually utilize the timeshare granted, and to be responsible for getting the child(ren)'s homework and other activities done during that parent's time with the child(ren).
- B. Understand that there may be circumstances from time to time with regard to work schedules and/or activities of the child(ren) which require flexibility and cooperation, and that changes in scheduling may be required.
- C. Do not send written or verbal messages to each other through the child(ren).
- D. Keep the other parent advised as to current residential address, business address, telephone numbers for home, work, cell phone, fax and pager for the purpose of notification unless otherwise ordered by the Court. Each parent shall provide to the other parent contact numbers and addresses where the child(ren) can be located during their scheduled timesharing / visitation time.
- E. Do not schedule activities for the child(ren) when the child(ren) are to be with the other parent, without first consulting with the other parent.
- F. Cooperate to ensure that the child(ren) have appropriate clothing and other personal items at both parents' residences.
- G. Do not do or say anything that will interfere with the love and affection of the child(ren) for the other parent or allow third parties to do or say anything to or in the presence of the child(ren) that will interfere with the love and affection of the child(ren) for the other parent.
- H. Do not consume alcohol, take illegal drugs or prescribed drugs, other than as prescribed, while in care of their child(ren).

TRAVEL

- A. Be responsible to pick up the child(ren) from the other parent's residence, school or daycare when assuming physical custody of the child(ren) unless otherwise ordered by the Court.
- B. Do not unreasonably object to assistance in transportation by responsible third parties.
- C. Do not turn over the child(ren) to an intoxicated individual.
- D. Ensure the child(ren) are secured in an appropriate child restraint system when transporting the child(ren).
- E. Be prompt when picking up or dropping off the child(ren). However, each parent is entitled to a thirty (30) minute grace period. After this period, the parent shall continue with their daily activities, and the timesharing is forfeited for that period for Parent B who is late. If timesharing / visitation is missed through no fault of Parent B and reasonable notice has been given, that time

should be made up if reasonable to do so. If Parent A is more than thirty (30) minutes late, Parent A shall be required to schedule an additional visitation day (from 6:00 p.m. to 6:00 p.m.) within the next thirty (30) days.

SCHOOL / HEALTH

- A. Have the right and responsibility to obtain schedule and activity information regarding the child(ren)'s school, daycare, healthcare or any other organized activity from any third party.
- B. Have the opportunity to complete and view the school information for the child(ren), including emergency contact information, and persons allowed to pick up the child(ren) from school. Both parents shall be listed on all information with the school.
- C. Keep the other parent advised as to the child(ren)'s serious illness or any other major development, whether medical, educational or otherwise.

MISCELLANEOUS

- A. Realize that these Guidelines assume that both parents reside in Knox or Laurel County or an adjacent county. These Guidelines will not address all of the appropriate terms for timesharing of parents who do not live within a reasonable proximity of one another.
- B. Realize that these Guidelines will apply only in cases where both parents have been involved in the child(ren)'s lives. The Guidelines would not be appropriate for cases in which the parent is a stranger to the child(ren).
- C. Realize that timesharing in accordance with these Guidelines, or timesharing of less than these Guidelines, shall not be the basis for a motion to reduce child support or deviate from the child support Guidelines.
- D. Times in this schedule are to be in the time zone where the child(ren) primary reside(s).
- E. Realize that if an Emergency Order of Protection or Domestic Violence Order is in place between the parents, these guidelines may not apply as to contact and/or communication pursuant to the terms of the Emergency Order of Protection or Domestic Violence Order.

General Guidelines for Child(ren) of All Ages

- 1. Both parties shall be permitted reasonable telephone visitation with their child(ren) every day.
- 2. The regular weekend visitation schedule shall not change and all holiday, birthday, spring, summer, fall and winter break visitation shall supersede regular weekend visitation and regular weekday visitation on Tuesdays and Thursdays.
- 3. **Child(ren)'s Birthday.** The child shall celebrate his/her birthday in the home of Parent A, unless it falls on a visitation day for Parent B. If the child's birthday does not fall on a visitation day, an additional, non-scheduled day shall be granted so that Parent B may celebrate the child's birthday with him/her as well, from 9:00 a.m. until 7:00 p.m., if desired. This additional day shall be the first non-scheduled Saturday after the child's birthday unless otherwise agreed by the parties.

4. **Parent's Birthday.** The child(ren) shall spend each parent's birthday with that parent, except in those years, if any, on which it is a holiday to be spent with the other parent. In the latter event, the child(ren) shall spend four (4) hours with the parent who is having a birthday, on the first day following the holiday spent with the other parent.
 5. Parent A shall have all holiday and break visitation not otherwise granted to Parent B in these guidelines.
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For Child(ren) Under Eighteen (18) Months

Regular Visitation. Regular visitation with Parent B shall occur on alternate weekends from Friday at 6:00 p.m. until Saturday at 6:00 p.m. or Saturday at 6:00 p.m. until Sunday at 6:00 p.m. In addition, Parent B shall have visitation with the child(ren) on Thursday evening following Parent B's weekend visitation from 5:30 p.m. on Thursday until 8:00 a.m. the next morning and also visitation on Tuesday evening preceding Parent B's weekend visitation from 5:30 p.m. on Tuesday until 8:00 a.m. the next morning.

Additional Holiday Parenting Time. Parent B shall have parenting time with the child(ren) on New Year's Day and July 4th in even numbered years (i.e. 2008) and Easter in odd numbered years (i.e. 2007) from 6:00 p.m. on the day prior to the holiday and ending 6:00 p.m. on the holiday. Parent B shall have visitation on Martin Luther King, Jr. Day and Labor Day in odd numbered years and on Memorial Day in even numbered years from 6:00 p.m. on the day prior to the holiday and end at 6:00 p.m. on the holiday.

Winter Break. In families which celebrate Christmas, the Parent B shall have the child(ren) each year from 1:00 p.m. to 7:00 p.m. on Christmas Eve and on December 26th from 10:00 a.m. through December 27th at 6:00 p.m. In families which celebrate Hanukkah, Parent B shall have one (1) overnight visitation during Hanukkah, as agreed between the parties thirty (30) days in advance. In families which observe the religious holidays of Rosh Hashanah and Yom Kippur, Parent B shall have visitation for Rosh Hashanah in even numbered years (i.e. 2008) and Yom Kippur in odd-numbered years (i.e. 2007). In families which practice other religions, the Parents shall attempt to divide their religious holidays in a similar manner.

Thanksgiving. In odd-numbered years (i.e. 2007), Parent B shall have the child(ren) for Thanksgiving, beginning at 6:00 p.m. Thursday and ending at 6:00 p.m. Friday.

Mother's Day/Father's Day. On Mother's Day and Father's Day, the child(ren) shall be with the appropriate parent from 9:00 a.m. to 7:00 p.m., regardless of who would have otherwise had the child(ren).

For Child(ren) Eighteen (18) Months to Three (3) Years

Regular Visitation. Regular visitation with Parent B shall occur on alternate weekends from Friday evening at 6:00 p.m. to Sunday evening at 6:00 p.m. In addition, Parent B shall have visitation with the child(ren) on Thursday evening

following Parent B's weekend visitation from 5:30 p.m. on Thursday until the next morning at 8:00 a.m. and also visitation on Tuesday evening preceding Parent B's weekend visitation from 5:30 p.m. on Tuesday until the next morning at 8:00 a.m.

Additional Holiday Parenting Time. Parent B shall have parenting time with the child(ren) on New Year's Day and July 4th in even numbered years (i.e. 2008) and Easter in odd numbered years (i.e. 2007) from 6:00 p.m. on the day prior to the holiday and ending 6:00 p.m. on the holiday. Parent B shall have visitation on Martin Luther King, Jr. Day and Labor Day in odd numbered years and on Memorial Day in even numbered years from 6:00 p.m. on Friday of the holiday weekend and end at 6:00 p.m. on the Monday of the holiday weekend.

Winter Break. In families which celebrate Christmas, Parent B shall have the child(ren) each year from 1:00 p.m. to 7:00 p.m. on Christmas Eve and from December 26th at 10:00 a.m. through December 29th at 6:00 p.m. In families which celebrate Hanukkah, Parent B shall have three (3) consecutive days of visitation during Hanukkah, as agreed between the parties thirty (30) days in advance. In families which observe the religious holidays of Rosh Hashanah and Yom Kippur, Parent B shall have visitation for Rosh Hashanah in even-numbered years and Yom Kippur in odd-numbered years. In families which practice other religions, the Parents shall attempt to divide their religious holidays in a similar manner.

Spring Break. Parent B shall have four (4) days with the child(ren) in March or April in even-numbered years. If the child(ren) attends preschool and the preschool has a spring break, the four (4) day period shall be during the time of that spring break.

Fall Break. Parent B shall have four (4) days with the child(ren) in October in odd-numbered years. If the child(ren) attends preschool and the preschool has a fall break, the four (4) day period shall be during the time of that fall break.

Thanksgiving. Parent B shall have the child(ren) for Thanksgiving, beginning at 5:00 p.m. Wednesday and ending at 7:00 p.m. Sunday in odd-numbered years.

Mother's Day/Father's Day. On Mother's Day and Father's Day, the child(ren) shall be with the appropriate parent from 9:00 a.m. to 7:00 p.m., regardless of who would have otherwise had the child(ren).

Summer. Parent B shall have three (3) periods each summer of four (4) days each. Each party shall give the other party at least sixty (60) days notice of his or her vacation schedule so that both parties have an opportunity to have the child(ren) during their vacations.

For Child(ren) Three (3) Years and Older

Regular Visitation. Regular visitation with Parent B shall occur on alternate weekends from Friday evening at 6:00 p.m. until Sunday evening at 6:00 p.m. In addition, Parent B shall have visitation with the child(ren) on Thursday evening following Parent B's weekend visitation from 5:30 p.m. until school the next morning or until 8:00 a.m. if there is no school that day. Parent B shall also have visitation on Tuesday evening preceding Parent B's weekend visitation from 5:30 p.m. on Tuesday until school the next morning or until 8:00 a.m. if there is no school that day.

For the Tuesday and Thursday visitation under this section, Parent B shall be responsible for making sure the child(ren) is(are) taken to school during Parent B's visitation period

Additional Holiday Parenting Time. Parent B shall have parenting time with the child(ren) on New Year's Day and July 4th in even numbered years and Easter in odd numbered years from 6:00 p.m. on the day prior to the holiday and ending 6:00 p.m. on the holiday. Parent B shall have visitation on Martin Luther King, Jr. Day and Labor Day in odd numbered years and on Memorial Day in even numbered years from 6:00 p.m. on Friday of the holiday weekend and end at 6:00 p.m. on the Monday of the holiday weekend.

Winter Break. In families which celebrate Christmas, Parent B shall have the child(ren) each year from 1:00 p.m. to 9:00 p.m. on Christmas Eve and from December 26th at 10:00 a.m. through December 31st at 6:00 p.m. In families which celebrate Hanukkah, Parent B and Parent A shall equally divide visitation during Hanukkah, as agreed between the parties thirty (30) days in advance. In families, which observe the religious holidays of Rosh Hashanah and Yom Kippur, Parent B shall have visitation for Rosh Hashanah in even-numbered years and Yom Kippur in odd-numbered years. In families which practice other religions, parents shall attempt to divide their religious holidays in a similar manner.

Spring Break. Parent B shall have nine (9) days (five (5) weekdays during which spring break is observed plus the weekend before spring break beginning Friday at 6:00 p.m. and the weekend after spring break until Sunday at 6:00 p.m.) with the child(ren) in March or April when spring break is observed by the child(ren)'s school in even-numbered years.

Fall Break. Parent B shall have nine (9) days (five (5) weekdays during which fall break is observed plus the weekend before fall break beginning Friday at 6:00 p.m. and the weekend after fall break until Sunday at 6:00 p.m.) with the child(ren) in September or October when fall break is observed by the child(ren)'s school in odd-numbered years.

Thanksgiving. Parent B shall have the child(ren) for Thanksgiving beginning at 5:00 p.m. Wednesday and ending at 7:00 p.m. Sunday in odd-numbered years.

Mother's Day/Father's Day. On Mother's Day and Father's Day, the child(ren) shall be with the appropriate parent from 9:00 a.m. to 7:00 p.m. regardless of who would have otherwise had the child(ren).

Summer. Parent B shall have two (2) periods each summer of two (2) weeks each. Parent A shall have one period each summer of two (2) weeks. Each party shall give the other party at least sixty (60) days notice of his or her vacation schedule so that both parties have an opportunity to have the child(ren) during their vacations.